



**Senate Workforce Development
SB2170**

February 16, 2023

Chairman Wobbema and members of the Senate Workforce Development Committee, for the record my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am submitting testimony in a neutral capacity for SB2170.

The reason I am submitting neutral testimony is because I would like to inform the committee of opportunities for employers, schools, and students to work together, to address workforce shortages.

I presented to this committee earlier in the session on Career and Technical Education and the programs and new initiatives we are working on. Currently, we have Building Trades programs across the state, primarily located at our Area Career and Technical Centers and larger school districts. Currently, over forty school districts have access to a building trades program. Within these programs, students learn basic technical and safety skills and provide career exploration opportunities to learn if a career in the construction field is the direction they wish to follow. To continue to expand on CTE, one of our major initiatives is the expansion of Work-Based Learning Experiences.

In this work, we have had multiple conversations with employers and school administrators alike, on the inability to place minor students in the community, on job sites, that are deemed hazardous. A document we reference often is the Child Labor Provisions for

Nonagricultural Occupations under the Fair Labor Standards Act, also known as Child Labor Bulletin 101. Child Labor Bulletin 101 outlines what occupations a student under the age of 18 can participate in. You can imagine several of the restrictions are those that SB2170 is attempting to permit.

Child Labor Bulletin 101 also provides exemptions for what the United States Department of Labor defines as apprentices and student-learners. Starting on page 24, the bulletin states that an individual, under the age of 18, can participate in certain activities, in a hazardous occupation if they are either a registered apprentice that is enrolled in a registered apprenticeship program or is a student learner. I would like to touch more on the student learner category. A student learner is a student enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local education authority or in a course of study in a substantially similar program conducted by a private school and the student learner is employed under a written agreement between the school, employer, and student.

In other words, if a student is enrolled in an approved CTE program, and a written agreement is in place that includes the student (with parental approval), school, and employer, the student can participate at the worksite. The Department has developed work-based learning guidance for local programs to utilize as they expand access to work-based learning experiences. Within the guidance is a WBL agreement template, to guide programs to meet this expectation. It is important to mention the primary focus of these experiences must be training and education and the individual must be under close supervision of a mentor.

In the summer of 2022, the Department started to train and endorse work-based learning coordinators, to be placed in CTE Centers and schools around the state, to serve as

the liaison between employers and educators. Our next step is to partner with Job Service North Dakota and the ND Department of Commerce, to inform more employers across the state of opportunities to partner with education.

If done correctly, we can place students on job sites. It is vital that prior to placing a student, they should possess basic technical, employability and safety skills, which can be accomplished by completing coursework in a CTE program. Let me also note that many Building Trades instructors come from industry, therefore possess industry knowledge. The foundation that can come through a CTE program and a quality work-based learning experience can create a pipeline of better prepared workers, to help address the workforce needs we see in our state.

To close, I have included a link to Child Labor Bulletin 101 for your review, as well as a one-pager, based on Child Labor Bulletin 101, the Department of Career and Technical Education created for local administrators to use when visiting with employers about work-based learning.

<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/childlabor101.pdf>

This concludes my testimony; I will stand for any questions you may have.